

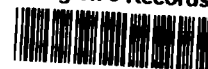


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 25 2007

EPA Region 5 Records Ctr.



277315

REPLY TO THE ATTENTION OF:
Prairieland Steel Site, Illinois
SE-5J

PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Prairieland Steel Site
c/o Profile Screens, Inc.
Mr. Dennis Sariff
901 S. Water Street
Havana, IL 62644

Re: Request for Information Pursuant to Section 104 of CERCLA for Prairieland Steel Site in Havana, Illinois

This letter seeks your cooperation in providing information and documents relating to the contamination of the Prairieland Steel Superfund Site in Havana, Illinois ("Site"). A Superfund site is a site contaminated with high levels of hazardous substances that may present a threat to human health or the environment.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within **14 days** of your receipt of this letter.

The United States Environmental Protection Agency ("U.S. EPA") is investigating the release or threat of release of hazardous substances, pollutants, or contaminants at the Site. U.S. EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and methods used to dispose of such substances that have been, or threaten to be, released from the Site. U.S. EPA will study the effects of these substances on the environment and public health. In addition, U.S. EPA will identify activities, materials, and parties that contributed to contamination at the Site. U.S. EPA believes that you might have information which may assist the Agency in its investigation of the Site.

Information Request

This information request pertains to any and all knowledge that you have, and any and all information in your possession, custody or control, relating to the operation of the above-referenced Site, and to the presence, transportation, storage, and/or disposal of, any hazardous substance, at this Site.

Description of Legal Authority

The federal "Superfund" law (the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601, et seq., commonly referred to as "CERCLA" and "Superfund") gives U.S. EPA the authority to, among other things: (1) assess contaminated sites, (2) determine the threats to human health and the environment posed by each site, and (3) clean up those sites in the order of the relative threats posed by each.

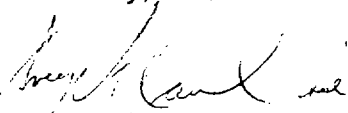
Instructions on how to respond to the questions in Attachment B to this document are described in Attachment A. Your response to this Information Request should be mailed to:

U.S. Environmental Protection Agency
Valerie Mullins, Enforcement Specialist
Emergency Enforcement Services Section, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

If you have additional questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of cleanup activities, please contact Mike Ribordy, On-scene Coordinator at (312) 886-4592. However, if you have specific questions about the Information Request, please contact Valerie Mullins at (312) 353-5578.

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,



Ross del Rosario, Acting Chief
Emergency Enforcement Services Section

Enclosures

Attachment B

Please answer the following questions:

- 1) Identify all persons consulted in the preparation of the answers to these Information Requests.
- 2) Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.
- 3) If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.
- 4) Identify who are the current owners and/or operators of Profile Screen. State the dates during which the current owner and/or operator of Profile Screen owned, operated, leased or occupied any portion of the Site and provide copies of all documents evidencing or relating to such ownership, operation lease, or occupation, including but not limited to purchase and sale agreements, deeds, leases, etc.
- 5) Identify who paid the property taxes for the Site. Provide copies of the property tax payments including, but not limited to, cancelled checks and receipts.
- 6) Provide copies of all fire, property, casualty and/or liability insurance policies, and any other insurance contracts that you obtained related to the Site. Include any and all policies with insurance for loss or damage to the Site property. For each insurance policy identified above, describe how payment was made and provide copies of those payments (including, but not limited to, cancelled checks).
- 7) Describe any legal or equitable interest that you now have, or previously had in the Site. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed. Provide copies of all documents evidencing the acquisition or conveyance of such interest.
- 8) Describe all buildings, structures or other physical improvements, including grading or other landscaping, that Profile Screen made to the Site.
- 9) Identify any persons, who concurrently with the owner/operator exercise actual control, who have significant authority to control activities, or who perform activities at the Site. Include all: partners or joint venturers; contractors, subcontractors and service contractors; licensees and lessees;

holders of any easements such as utilities, pipelines and railroads; major financiers and lenders; and government entities that have/had a proprietary (as opposed to regulatory) interest or involvement with regard to any activity on the Site.

- 10) List all prior owners and/or operators of the Site. State the dates during which the prior owners and/or operators owned, operated, leased or occupied any portion of the Site and provide copies of all documents evidencing or relating to such ownership, operation, lease or occupation, including but not limited to purchase and sale agreements, deeds, leases, etc. Include any evidence that an environmental hazard existed during said ownership.
- 11) If Profile Screen no longer owns or operates at the Site, identify the subsequent operators (including lessors), at the Site. For each such operator, further identify:
 - a. The dates of operation;
 - b. The nature of the subsequent operations at the Site; and
 - c. All evidence that the subsequent operators controlled access to the Site.
- 12) Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials? If the answer to the preceding question is anything but an unqualified "no", identify:
 - a. The chemical composition, characteristic, physical state (e.g., solid, liquid) of each hazardous substance;
 - b. Who supplied you with such hazardous substances;
How much hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;
 - c. Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you; and
 - d. The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.
- 13) If any of the documents solicited in this information request are no longer available, indicate the reason why they are no longer available. If records were destroyed, provide the following:
 - a. The document retention policy;
 - b. A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;
 - c. A description of the type of information that would have been contained in the documents;
 - d. The name, job title and last known address of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the

person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents; and the names and last known address of any person(s) who may possess documents relevant to this inquiry.

- 14) Please include any additional information regarding any hazardous substance that you may be aware of at this Site that would assist the Agency in its understanding of the environmental situation of the Site. For each person identified, include their last known address and phone number.

Attachment A

Under Section 104(e)(2) of CERCLA, 42 U.S.C. §9604(e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
- (B) The nature or extent of a **release** or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (C) Information relating to the **ability** of a person to pay for or to perform a cleanup.

While U.S. EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law.

Some of the information U.S. EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish U.S. EPA to treat the information confidentially, you must advise U.S. EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.
3. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Information Request.
4. Identify Sources of Answer. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.

5. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, U.S. EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to U.S. EPA.

6. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42.U.S.C. §§9604(e)(7)(E) and (F), and Section 3007(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b).

If you make a claim of confidentiality for any of the information you submit to U.S. EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

1. the portions of the information alleged to be entitled to confidential treatment;
2. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
3. measures taken by you to guard against the undesired disclosure of the information to others;
4. the extent to which the information has been disclosed to others; and the precautions taken in connection therewith;
5. pertinent confidentiality determinations, if any, by U.S. EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
6. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents, is in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to U.S. EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by U.S. EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information when it is received by U.S. EPA, then it may be made available to the public by U.S. EPA without further notice to you.

7. Disclosure to U.S. EPA Contractor. Information which you submit in response to this Information Request may be disclosed by U.S. EPA to authorized representatives of the United States, pursuant to 40 C.F.R. §2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that U.S. EPA may disclose all responses to this Information Request to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (**14 days**) days of receiving this Information Request.

8. Personal Privacy Information. Personnel and medical files, and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

9. Objections to Questions. If you have objections to some or all the questions within the Information Request letter, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to this information request:

- 1). The term "**person**" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.
- 2). The term "**pollutant or contaminant**" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations; except that the term "pollutant or contaminant" shall not include petroleum.

3). The term "**Site**" shall mean the **Prairieland Steel Superfund Site** located at 901 S. Water Street (formerly 550 Pear Street) in the City of Havana, Mason County, Illinois. See parcel "5-3428000" on the attached title map for Site boundaries.

4). The term "**waste**" or "**wastes**" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or **sludge**, including but not limited to containers for temporary or permanent holding of such **wastes**.

5). The term "**you**" or "**Respondent**" shall mean Profile Screen. The term "you" also includes any officers, managers, employees, contractors, trustees, successors, assignees, and associated agents of Profile Screen.

6). The term "**real estate**" shall mean and include, but not be limited to the following: land, buildings, a house, dwelling place, condominium, cooperative apartment, office or commercial building, including those located outside the United States.

7). The term "**release**" shall mean any **spilling**, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, **leaching**, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §3501 et seq.

bcc: Nola Hicks, ORC (C-14J)
Mike Ribordy, OSC (SE-GI)
John Maritote, EESS (SE-5J)
Valerie Mullins, EESS (SE-5J)
Records Center (SMR-7J)